



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARILYN STEWART,

Defendant.

2:12-CR-272-LDG-(CWH)

PRELIMINARY ORDER OF FORFEITURE

On February 19, 2013, defendant MARILYN STEWART pled guilty to Counts One and Seventeen of a Thirty-Five-Count Criminal Indictment charging her in Count One with Conspiracy to Commit Mail Fraud and Wire Fraud in violation of Title 18, United States Code, Sections 1341, 1343, and 1349; and in Count Seventeen with Wire Fraud in violation of Title 18, United States Code, Section 1343. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. 34.

This Court finds defendant MARILYN STEWART agreed to the forfeiture of the property set forth in the Forfeiture Allegations of the Criminal Indictment and the Plea Agreement. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. 34.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the Plea Memorandum and the offenses to which defendant MARILYN STEWART pled guilty. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. 34.

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 982(a)(2)(A); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,
3 Section 2461(c); and Title 21, United States Code, Section 853(p):

- 4 1. Sony Desktop computer including power cord, serial number C6UOHP3S;
- 5 2. Compaq Laptop including power cord, serial number 2CE849PCHQ;
- 6 3. Seagate Free Agent 320 GB Hard Drive;
- 7 4. MSI Notebook, serial number U123-001USK 0906000013;
- 8 5. iPhone with large white apple sticker;
- 9 6. Five CDs;
- 10 7. Three dare-elec, 2GB memory cards;
- 11 8. One Micros, 2GB memory card;
- 12 9. One Seagate hard drive, serial number 2GE1LEOT;
- 13 10. One HP Pavilion CPU, serial number 3CR85009WV;
- 14 11. LG Phone IMEI number 353023-02-096402-4;
- 15 12. Sony VAIO CPU, serial number 3000638;
- 16 13. 9 CDs;
- 17 14. Two CDs;
- 18 15. One DVD;
- 19 16. Lexar Thumbdrive, serial number N12610;
- 20 17. Sandisk Cruzer, serial number SDC236-004G;
- 21 18. Apple Computer and keyboard, serial number W87405VXX86;
- 22 19. Targus thumbdrive, serial number 0803006285;
- 23 20. One CD labeled DOC transfer disk;
- 24 21. One Dell CPU, serial number, 0585N31;
- 25 22. One Dell CPU, serial number 77MKY71;
- 26 23. One Dell CPU and extension cord, serial number GRYMR91;

24. One Blackberry telephone, MEI number 268435458802325338;
25. One CD and One DVD;
26. PNY Attache thumbdrive;
27. Sandisk cruzer thumbdrive, serial number BL0811NGXB;
28. Six DVDs;
29. One Blackberry cell phone FCC ID: L6ARBU20CW;
30. One iPhone with case, FCC ID: BCG-E2380A; and
31. An in personam criminal forfeiture money judgment of \$246,919.00 in United States Currency ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of MARILYN STEWART in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

...

...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Michael A. Humphreys
Assistant United States Attorney
5 Daniel D. Hollingsworth
Assistant United States Attorney
6 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
7 Las Vegas, Nevada 89101.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 19 day of FEB, 2013.

13
14 
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24
25
26